

***REMARKS***

Claims 1-27 are pending in the application. Claims 1, 2, 11, 14, 21, 22 and 27 are currently amended. New claims 28 – 31 are added. Claims 10, 13 and 16 are canceled. Claims 1 – 9, 11, 12, 14, 15, 17 - 31 remain for consideration.

***Claim Objections***

The Examiner objects to claim 10. The Examiner states, “In line 2 of claim 10 the phrase ‘secured position’ appears to be a typo and should read ‘second position’. Appropriate correction is required.”

Claim 10 is canceled.

***Claim Rejections – 35 USC §102***

The Examiner rejects claims 1, 6-9, 11, 12, 17-19, 21, 23, 25 and 26 as being anticipated by Reiher (U.S. Patent No. 6,027,093). The Examiner states that:

Reiher ‘093 discloses a workstation (10) that comprises a base (12). A riser (14) extending upwardly from the base A support arm (18) pivotally connected to the riser (14), the support arm (18) having a first section on a first side towards end (20) of the riser (14) and a second section on a second side towards end (19) of the riser (14). A table (30) affixed to the second section of said support arm (18). A counter weight (22) affixed to the first section of said support arm (18). Wherein the counterweight (22) allows for

the support arm (18) to be easily pivoted from a work position to a second position. The support arm (18) is rotates around the riser (14) in the horizontal plane (col 4, line 21- 24).

Claim 1 is amended as follows:

a support arm ~~pivotally~~ connected to said riser at a vertical pivot, said support arm having a first section on a first side of said riser and a second section on a second side of said riser; ...

a counter weight affixed to said first section of said support arm wherein said counter weight may be selectively offset from a longitudinal axis of said support arm ; and

wherein said counter weight at least partially counterbalances weight on said second section of said support arm to allow ~~allows~~ for said support arm to be easily pivoted from a work position to a second position[.]; and  
wherein said counter weight may be selectively offset from a longitudinal axis of said support arm for counterbalancing articles on said table when said support arm is in said second position.

As noted by the Examiner, the support arm (18) of Reiher rotates around the riser (14) in the horizontal plane (col 4, line 21- 24). Applicant is now claiming a support arm connected to a riser at a vertical pivot. Applicant therefore asserts that amended claim 1 is not anticipated by Reiher. Claim 1, as amended further incorporates the “vertical” limitation of dependent claim 10, now canceled. Further, claim 1 adds limitations related to a counter weight that may be selectively offset from a longitudinal axis of said support arm. In contrast, Reiher’s counter balance weight 22 is positioned on table support bar 18 and may not be offset from a longitudinal axis of table support bar 18.

Applicant notes that one of the references cited by the Examiner against claim 10, i.e., Rossko, also teaches the use of a counter weight, i.e., counter weight 70. However, Rossko's counter weight 70 does not anticipate nor render obvious Applicant's claim 1 since Applicant claims both a) a counter weight affixed to said first section of said support arm; and b) wherein said counter weight may be selectively offset from said longitudinal axis. In contrast, Rossko's very different counter weight is suspended on cable 72 (best seen in Figs. 4 and 5 and to a lesser extent, Fig. 2). Allowance of amended claim 1 is respectfully requested.

Regarding claims 6 and 17, the Examiner states that the riser (14) is adapted to be adjustable with respect to height (col 1, line 63). Regarding claims 7 and 18, the Examiner states that table (30) is pivotally mounted on the support arm (18) (col 4, lines 4-6). Regarding claims 8, 19, and 26, the Examiner states that the table (30) defines a plurality of retaining members (42) for affixing selected computer components to the table (30). Regarding claims 9, 11, and 23, the Examiner states that the second position of the support arm (18) allows for a user to have unobstructed ingress to and egress from a human support device since the second position can be at an angle of 90 degrees or farther from the work position.

Claims 6, 7, 8 and 9 depend from independent claim 1, which is asserted to be

patentable for the reasons set forth above. Claims 17, 18 and 19 depends from independent claim 11, which is asserted to be patentable for the reasons set forth below. Claim 26 depends from independent claim 21, which is asserted to be patentable for the reasons set forth below. Dependent claims 6, 7, 8 17, 18, 19 and 21 are asserted to be patentable for at least these reasons.

Independent claim 11 is amended as follows:

a base that extends beneath a human support device from a first side to a second side of said human support device;...

a support for engaging a second end of said support arm to stabilize said support arm when said support arm is in a work position;

Reiher does not teach a base that extends beneath a human support device nor a support for engaging a second end of the support arm as set forth in amended claim 11.

Amended claim 11 now incorporates the limitations of dependent claims 13 and 16, which are now canceled. Dependent claim 13 is rejected over Reiher in view of U.S. Patent Publication to Dye. Dependent claim 15 was rejected over Reiher in view of Sahli.

Amended claim 11 is not obvious over Reiher in view of Dye for the reasons that neither Reiher nor Dye either teach or suggest a base that extends beneath a human support device from a first side to a second side of said human support device. Dye teaches a first side post base 118 and second side post base 124 (para. [0016]). By labeling each of these components as a "post base", Dye teaches away from a base extending away from the base.

Reiher teaches a base that does not extend beneath a human support device.

Amended claim 11 is not obvious over Reiher in view of Sahli for the reasons that neither Reiher nor Sahli teach or suggest,

a support for engaging a second end of said support arm to stabilize said support arm when said support arm is in a work position ... wherein said support arm may be pivoted from said work position to a second position, said second position allowing a user to have unobstructed ingress to and egress from said human support device.

To allow for unobstructed ingress and egress, the support arm must pivot away from the user. In contrast, Sahli's table plate 7 (Fig. 1) pivots on crosspiece 3 (Fig. 2), which does not move to allow for ingress and egress of the user, assuming that a user was positioned in front of Sahli's drafting table. Instead, Sahli teaches no "pivot arm" as it is used in Applicant's specification and claims. Further, there exists no motivation to combine the teachings of Sahli and Reiher, as the two references are nonanalogous art. Applicant respectfully requests reconsideration and allowance of independent claim 11.

Regarding claim 21, the Examiner states, "the table (30) is adapted to be positioned to provide a work area for a user who is in a substantially reclined position, wherein the table (30) permits the user to support the user's elbows on a human support device such as a bed while accessing the work area (col. 1, line 53-62)."

Claim 21 is amended as follows:

a base that extends beneath a human support device from a first side

to a second side of said human support device; ...  
a support arm ~~pivotally~~ connected to said riser at a vertical pivot;

Amended claim 21 is not anticipated by Reiher for at least the reasons that Reiher does not teach a base that extends beneath a human support device from a first side to a second side of said human support device and also because Reiher does not teach a vertical pivot. Amended claim 21 is patentable over combinations of Reiher, Sahli, and Rossko for the reasons set forth with respect to claim 1 and 11, above.

Dependent claim 23 depends from amended independent claim 21, which is submitted to be patentable. Dependent claim 23 is submitted to be patentable for at least this reason.

***Claim Rejections – 35 USC §103; Reiher in view of Dye***

The Examiner rejects claims 2, 3, 13 and 14 as being unpatentable over Reiher in view of Dye (U.S. Patent Publication No. 2004/0025754). The Examiner states that:

Reiher '093 discloses every element as described above. Reiher '093 does not disclose expressly a base that extends beneath a human support device and components that are in communication with both ends. Dye 754 discloses a work station (100) with a base (126) with flanges (118,124) that extend beneath a human support device. Components (146,123) in communication with a first end (124) of the base and components (116,144) in communication with a second end (118) of the base.

At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the work station of Reiher and add the base of

Dye to provide multiple work surfaces (col 1, paragraph 2, line 3).

Claim 2 is amended to clarify that the base extends beneath a human support device from a first side to a second side of said human support device. Neither Reiher nor Dye, either alone or in combination, teach or suggest such a base. Reconsideration and allowance of claim 2 is requested.

Claim 3 depends from claim 2, which is submitted to be patentable for the reasons set forth above. Claim 3 is submitted to be patentable for at least this reason.

Claim 13 is canceled.

Claim 14 is amended to depend from claim 11, which is submitted to be patentable.

Claim 14 is submitted to be patentable for at least this reason.

***Claim Rejections – 35 USC §103; Reiher in view of Rossko***

The Examiner further rejects claims 5, 10, 15, 20, and 24 as being unpatentable over Reiher in view of Rossko (US. Patent 6,702,373). The Examiner states that:

Reiher '093 discloses every element as described above, Reiher '093 does not disclose expressly a support affixed to the riser for stabilizing the support arm when the arm is in the work position and wherein the second position of the support is substantially vertical. Rossko '373 discloses a work station (30) with a pivot system (56) that is attached to a chair (32). A support (A') is affixed to a riser (74) for stabilizing the support arm (78) when the support arm (78) is in the work position as shown in figure 1. The support arm (78) is substantially vertical when in the second position as shown in figure 5.

At the time of the invention it would have been obvious for a person of ordinary skill in the art to combine the work station of Reiher and add the pivot system of Rossko so that the controls can be adjusted in all three axis (Rossko, col, 2, line 44-46).

Regarding claim 5, the Examiner states, "A support (A') is affixed to a riser (74) for stabilizing the support arm (78) when the support arm (78) is in the work position as shown in figure 1." Applicant locates no support A' in Rossko as asserted by the Examiner. Claim 5 is submitted to be patentable over Reiher in view of Rossko because neither Reiher nor Rossko teach or suggest a support affixed to said riser for stabilizing said support arm when said support are is in said work position, as required by claim 5. Reconsideration and allowance of claim 5 is requested.

Claim 10 is canceled.

Claims 15 and 20 depend from amended independent claim 11, which is submitted to be patentable. Claims 15 and 20 are submitted to be patentable for at least this reason.

Claim 24 indirectly depends from amended independent claim 21, which is submitted to be patentable. Claim 24 is submitted to be patentable for at least this reason.



***Claim Rejections – 35 USC §103; Reiher in view of Sahli***

Claims 4 and 15 are rejected under 35 USC. 103(a) as being unpatentable over Reiher in view of Sahli (U.S. Patent 4,099,469). The Examiner states:

Reiher '093 discloses every element as described above. Reiher '093 does not disclose expressly a support for engaging a second end of the support arm to stabilize the support arm when the support arm is in the working position. Sahli '469 discloses a work station with a table top (7) pivotally attached to risers (2). Attached to the risers (2) are supports (1) which are used to support the table top (7) when the table top (7) is in the working position.

At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the work station of Reiher and add the support of Sahli so that the support arm of Reiher has improved stability when in the working position (Sahli, col 1, line 64-65).

Dependent claim 4 depends from amended claim 1, which is submitted to be patentable. Dependent claim 4 is submitted to be patentable for at least this reason.

Dependent claim 15 depends from amended claim 11, which is submitted to be patentable. Dependent claim 15 is submitted to be patentable for at least this reason.

***Claim Rejections – 35 USC §103; Reiher in view of Case***

Claim 22 is rejected as being unpatentable over Reiher in view of Case (U.S. Patent 5,630,566). The Examiner states:

Reiher '093 discloses every element as described above. Reiher '093 does not disclose expressly the table adapted to support a computer monitor, the table further adapted for positioning the in an ergonomic viewing position. Case '566 discloses a portable ergonomic work station (10), which comprises a riser (12). A support arm (28) extends from the riser (12). At the end (32) of the support arm (28) is a screen support means (34). A computer monitor (36) is supports by the screen support means (34). The connection means (30, 31 ,32) allow adjusting of the support arm to an advantageous viewing position for the user (col. 5, line 81 3). At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the work station of Reiher and add the monitor and support arm of Case in order for the user to be able to adjust a monitor to an ergonomic view.

Claim 22 is amended as follows:

said table is adapted to support a computer monitor, keyboard and peripheral device, said table further adapted for positioning the monitor, the keyboard and the peripheral device in an ergonomic viewing position with respect to a user who is in a substantially reclined position, said table further adapted to retain said monitor, said keyboard and said peripheral device on said table when said table is pivoted vertically on said support arm.

Neither Reiher nor Case, either alone or in combination teach the claimed table. Other than book holder assembly 36 (col. 4, lines 52 – 57), Reiher fails to teach any means for retaining articles, particularly a computer monitor, keyboard and peripheral device.

Case fails to even provide room for a monitor, keyboard and peripheral device on a table.

Allowance of amended claim 22 is requested.

***Claim Rejections – 35 USC §103; Reiher***

Claim 27 is rejected as being unpatentable over Reiher. The Examiner states:

Reiher discloses all of the elements as disclosed above. Reiher does not disclose expressly a method of facilitating ingress to and egress from a work station. The steps in the method claim 27 would have been obvious given the structure of Reiher.

Claim 27 has been amended to claim that the support arm is vertically pivoted. In contrast, Reiher teaches pivoting in horizontal plane. Allowance of amended claim 27 is requested.

***New Claims***

New claim 28 has been added to claim that the counter weight is pivotally affixed to the first section of the support arm. New claim 28 is supported in at least paragraph [0039] of the specification.

New claims 29 – 31 have been added to claim that the base is adjustable to accommodate different widths of the support device. New claims 29-31 are supported in at least paragraph [0013] of the specification.

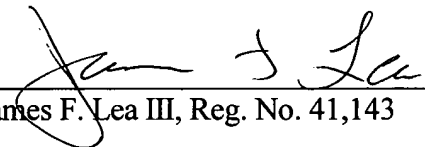
Considering the foregoing, it is sincerely believed that this case is in condition for allowance, which is respectfully requested.

This paper is intended to constitute a complete response to the outstanding Office Action. Please contact the undersigned if it appears that a portion of this response is missing or if there remain any additional matters to resolve. If the Examiner feels that processing of the application can be expedited in any respect by a personal conference, please consider this an invitation to contact the undersigned by phone.

Respectfully submitted,

Date: \_\_\_\_\_

11-4-05

  
\_\_\_\_\_  
James F. Lea III, Reg. No. 41,143

FELLERS, SNIDER, BLANKENSHIP,  
BAILEY & TIPPENS, P.C.  
321 South Boston Ave., Suite 800  
Tulsa, Oklahoma 74103-3318  
(918) 599-0621

Customer Number: 22206

ATTORNEYS FOR APPLICANT